

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARQUISE DANIELS,

Plaintiff,

v.

No. 22-CV-951-KG-GBW

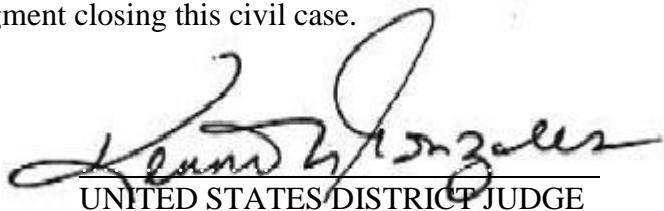
KEVIN DEVONPORT, *et al.*,

Defendants.

ORDER OF DISMISSAL

This matter is before the Court following Plaintiff's failure to prosecute his *pro se* Prisoner Civil Rights case. Plaintiff commenced this action on December 14, 2022, by filing a handwritten letter seeking to assert claims under 42 U.S.C. § 1983 (Doc. 1) (Letter). On February 7, 2023, the Court entered an Order to Cure Deficiency, requiring Plaintiff to file a complaint and prepay the \$402 civil fee, or alternatively, file a motion to proceed *in forma pauperis* within thirty (30) days. (Doc. 2). Plaintiff did not comply with, or otherwise respond to, the Court's Order. The deadline within which he was required to do so has now passed. (Doc. 12 at 2). The Court will therefore dismiss the Complaint under Fed. R. Civ. P. 41(b) for "failure to prosecute [and] comply with the ... court's orders." *Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003).

IT IS THEREFORE ORDERED that the Complaint (Doc. 1) is DISMISSED without prejudice. The Court will enter a separate judgment closing this civil case.



LEWIS H. GONZALES
UNITED STATES DISTRICT JUDGE